

**Notice of Allowability**

Application No.

09/498,789

Applicant(s)

RAMACHANDRAN ET AL.

Examiner

CUONG H. NGUYEN

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview on 9/21/2004.
2. ☒ The allowed claim(s) is/are 1-17, 25-26, 33-35; they are renumbered as 1-22.
3. ☒ The drawings filed on 27 April 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereio or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 092104.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

*CUAN*  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit: 3661

Ser. No. 09/498,789  
Art Unit 3661

1. This Office Action is the answer to the interview on 9/21/2004 with applicants' representative: Mr. Daniel D. Wasil (Register # 45,303).

#### **Status of the Claims**

2. Claims 1-35 are pending in this application. Claims 18-24, and 27-32 were canceled on 9/21/2004.

#### **Drawings**

3. Since allowable subject matter has been indicated, applicants are encouraged to submit formal drawings in response to this Office Action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

#### **Examiner 's amendment:**

4. An examiner's amendment to the record appears below. Should the changes and additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee..

The application has been amended as follows:

- On line 1, claim 33, replace "claim 30" with --claim 1 --.
- Claims 18-24, and 27-32 are canceled.

**Allowable Subject Matter & Reasons for Allowance**

5. Independent claims 1, 25-26, are patentable over the closest references of Lipkin (US Pat. 5,592,377), Atkins (US Pat. 5,644,727), and Lemelson (US Pat. 4,471,343), because the combinations of these references do not anticipate nor fairly and reasonably teach a financial transaction machine, comprising:

- a customer side, and a merchant user side, wherein each one of a plurality of merchant users are verified for stored identity data using appearance image, and audio signals (e.g., personal voice) as second identity data on a merchant user side; and those identity data are compared against stored data for a level of correlation between those verified identity data before said merchant user are granted to accessing said machine.

6. Independent claim 14 is patentable over the closest references of Lipkin (US Pat. 5,592,377), Atkins (US Pat. 5,644,727), and Lemelson (US Pat. 4,471,343), because the combinations of these references do not anticipate nor fairly and reasonably teach a method of operation above financial transaction machine comprising:

- operating a transaction machine having a customer side and a merchant user side, wherein each one of a plurality of merchant users are verified for stored identity data using appearance image, and audio signals (e.g., personal voice)

**Allowable Subject Matter & Reasons for Allowance**

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- a customer side, and a merchant user side, wherein each one of a plurality of merchant users are verified for stored identity data using appearance image, and audio signals (e.g., personal voice) as second identity data on a merchant user side; and those identity data are compared against stored data for a level of correlation between those verified identity data before said merchant user are granted to accessing said machine.

6. Independent claim 14 is patentable over the closest references of Lipkin (US Pat. 5,592,377), Atkins (US Pat. 5,644,727), and Lemelson (US Pat. 4,471,343), because the combinations of these references do not anticipate nor fairly and reasonably teach a method of operation above financial transaction machine comprising:

- operating a transaction machine having a customer side and a merchant user side, wherein each one of a plurality of merchant users are verified for stored identity data using appearance image, and audio signals (e.g., personal voice)

as second identity data on a merchant user side; and comparing those above identity data of each merchant for a level of correlation before said merchant user are granted to accessing said machine.

7. Claims 2-13, 33-35, and 15-17 are allowed because they are dependent upon base claims 1, and 14.

#### **Conclusion**

8. Claims 1-17, 25-26, and 33-35 are patentable.

Claims 14-17 are renumbered as claims 17-20, in that order.

Claims 25-26 are renumbered as claims 21-22, in that order.

Claims 33-35 are renumbered as claims 14-16, in that order.

9. These following references are related to this invention; however, they don't suggest that a financial transaction machine having a customer side and a merchant user side wherein on the merchant user side, appearance image input signals of a merchant are obtained by an adjacent camera, and audio input signals (voice) of a merchant are obtained by a microphone to compare with stored data for authentications, then those identity data are compared to each other for a level of correlation before said merchant user can operate that financial transaction machine.

- William J. Veeneman et al., US Pat. 5,243,174 -  
class 235/381, 9/07/1993, disclose a method and an apparatus for generating gift certificate.

- Richard A. Ferris et al., US Pat. 4,497,261 - class 902/30, 2/05/1985, disclose a security enclosure for an automatic teller machine.
- Seibert, Paul; Does your ATM security check out?; Oct. 1994; Credit Union Management v17n10 pp: 33-34, dialog copy pp. 1-4.
- Security For Computer Networks (An Introduction to Data Security in Teleprocessing and Electronic Funds Transfer) (1984) D.W. Davies and W.L. Price, Ch. 6 (pp.145-146), Ch. 10, Glossary.
- Dictionary of Financial and Economic Terminology, Yoshino et al., Jan. 10, 1990, Economic Acts Study Group (translation of p. 165).
- New Saitama Bank's Strategies on International ATMs, Oct. 17, 1985, Economic Acts Study Group (translated Figure on p. 45).
- "The EFT Sourcebook" pp. 35-40, Tables 1-4, J. Levy, Phillip Publishing Inc., 1988.
- "Discovering Direct Access" manual, pp. 1-88, Citibank, N.A., 1987.
- Article "The CIRRUS Banking Network" D. Gifford, et al., pp. 798-807, Communications of the ACM, vol. 28, No. 8, Aug. 1985.

- Article "8 Banks and Thrifts in 3 States Launch Video Banking Service", A Newman, Jr., American Banker, no date available.
- Dialog text of article "Viewtron Entering Pittsburgh in Deal with Dollar Bank" D. Tyson, Pittsburgh Press American Banker, Aug. 1985.
- Dialog text of article "NBD Offers Electronic Highway for Network of Shared ATMs" R. Garsson, American Banker, Apr. 1984.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose number is 703-305-4553. The examiner can normally be reached on 7am-3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas G. Black can be reached on 703-308-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-305-7687/703-746-5572.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Cuong H. Nguyen*

*CHN*  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit 3661